

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRYAN MICHAEL THOMAS BRIGGS,
Plaintiff,
v.
ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS, et al.,
Defendants.

Case No. 24-cv-06489-RFL

**ORDER DISMISSING ACTION FOR
FAILURE TO PROSECUTE**

Re: Dkt. No. 1


Plaintiff Michael Briggs, who is representing himself, filed his Complaint on September 16, 2024, but has not served Defendants. The Court has since extended Briggs's deadline to serve his complaint three times. (Dkt. Nos. 12, 16, 20.) Each order has described why Briggs's proof of service was insufficient and has warned Briggs that "if he fails to file proofs of service that succeed in satisfying Rule 4 . . . , the Complaint will be subject to dismissal without prejudice without further notice." (Dkt. No. 12 at 1; *see also* Dkt. No. 16 at 2; Dkt. No. 20 at 1.) The Court's third order regarding service extended Briggs's deadline to file proof of service until March 5, 2025. (Dkt. No. 20 at 1.) That deadline has now passed without Briggs filing a compliant proof of service as to any Defendant.

Under Federal Rule of Civil Procedure 4(m) "if a defendant is not served within 90 days after the complaint is filed" and after any extensions provided by the court have passed "the court—on motion or on its own after notice to the plaintiff—*must* dismiss the action without prejudice against that defendant." Fed. R. Civ. P. 4(m) (emphasis added). The Court has already provided Briggs with multiple extensions and notice that his case could be dismissed, and Briggs

has not shown good cause for any further extensions.¹ Therefore, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under Rule 4(m). The Clerk is instructed to enter judgment in favor of Defendants and close the case.

IT IS SO ORDERED.

Dated: March 13, 2025



RITA F. LIN
United States District Judge

¹ Briggs's Petitions for Evidentiary Hearings (Dkt. Nos. 23-24) do not establish good cause for a further extension of his deadline to file proof of service, and are denied.